

1. Introduction



FOREWORD

The Town of Waitsfield has a rich history and heritage grounded in the Vermont doctrine of freedom and unity. Our agrarian past has left a legacy that is prominent in our landscape and continues to influence the character of our community. While we are indebted to our past, the town's recent history has been one of transition.

The changes that have affected the town mirror those influencing the state as a whole. Our resource based economy, founded on agriculture and forestry,

is now built on recreation and an enviable quality of life. Thus, the town has been transformed from a quiet farming town to a resort destination, bedroom community and, increasingly, a center for innovation and commerce. This transformation has not been without costs: to tranquility, to the landscape and to the insular nature of the community. Waitsfield has managed, however, to retain many of the best elements of its past and merge them with a modern economy driven by tourism, technology, accessibility and respect for our natural and social heritage.

As we look to the future, we can only conclude that change will become more rapid and that the consequences of town decisions will become more profound. To best confront the future, the town should look to its past, to the path provided by our forebears. In this way we can arrive at the following principles which are found throughout this plan.

- ◆ **Open debate, accessible institutions and democracy are the bases of our local government;**
- ◆ **Economic and cultural opportunities for local citizens enrich the entire community;**
- ◆ **Access to quality education, a livable wage and safe and affordable housing are critical elements of a civil society;**
- ◆ **All current and future residents of the town share the same rights and responsibilities, regardless of status or background;**
- ◆ **As economies become more globalized, focusing on sustainable development and the careful stewardship of local resources will become increasingly important;**
- ◆ **The town's heritage, as defined by the historic settlement pattern of concentrated villages surrounded by an open countryside and forested mountains, is among its greatest resources;**
- ◆ **Individual rights and responsibility to the community should be balanced, as provided by local, state and federal law.**

AUTHORITY TO ADOPT A TOWN PLAN

Authority to adopt and implement the town plan is provided by the Vermont Planning and Development Act, 24 VSA, Chapter 117. The purpose of the Act is to “encourage the appropriate development of all lands...in a manner which will promote the public health, safety, morals, prosperity, comfort, conve-

nience, efficiency, economy and general welfare; and to provide a means and methods for the municipalities and regions of this state to plan...and to implement those plans”. In 1988 the Vermont Legislature revised the state planning statute with the adoption of Act 200, which established a series of goals and objectives and added them to the Purpose of Chapter 117. That statute was revised once again in 2004, when provisions that enable the adoption of local land use and development regulations were overhauled and the relationship between the municipal plan and regulations strengthened.

Waitsfield's first plan was the original town charter of 1782, which established a subdivision plan for the town and prescribed how private property would be developed. The modern era for town planning began when the town adopted its first town plan in the early 1970s. In 1980, the town began to coordinate its planning program with other Valley towns through the *Valley Growth Study*, which resulted in a major revision to the town plan in 1983, and a subsequent update of that plan in 1988.

In 1993, the Planning Commission undertook a comprehensive re-write of the plan. The result was a plan with a much broader scope and level of detail than the prior plan. It served the community well, and was re-adopted with minor amendment in 1998. This plan represents a significant update of the 1993 plan, and incorporates the outcome of the many planning and community outreach efforts that have occurred over the past decade.

PURPOSE OF THE TOWN PLAN

The town plan is the principal policy statement for the Town of Waitsfield. It articulates the aspirations of the community, and provides a framework for achieving those aspirations. It is intended to guide how the town addresses such diverse community issues as land development, the provision of municipal services and facilities, environmental protection, economic development and transportation.

In developing this plan, an attempt was made to look beyond the typical five year time frame of many municipal plans. The Planning Commission tried to consider the factors which will affect the town's growth well into the future, and to define how we as a community should work to influence those factors. In addition to guiding local officials



and citizens in making decisions regarding our future, the town plan is intended to be relied upon as the basis for making decisions in a number of specific settings. Such uses of the plan include the following:

- ◆ Provide the framework for planning the future of the town;
- ◆ Guide local decision-making in local regulatory reviews—while the Town Plan is not a regulatory document, it does provide a basis for determining compliance with Plan policies in specific regulatory settings;
- ◆ Serve as the basis for local decision-making during the Act 250 review process, most importantly guiding the Planning Commission and Selectboard in making determinations of compliance with the town plan;
- ◆ Provide a foundation for updating and revising subdivision and zoning bylaws;
- ◆ Assist in the ongoing update and implementation of the capital budget;
- ◆ Assist with the formulation of local policies and programs;
- ◆ Serve as the primary resource document for private parties desiring to learn of the town and its goals and policies;
- ◆ Establish a basis for the town's interactions with neighboring towns and with other levels of government.

FORMAT OF THE PLAN

This plan contains thirteen chapters addressing a range of topics, including all plan elements required under Vermont statute [§4382]. Each chapter presents background information and analysis related to the main topic of this chapter. This background information is intended to provide a basis for plan goals, policies and tasks. The narrative included in these chapters is *not* intended to serve as specific policy statements. Such policy statements are located at the end of each chapter as goals, policies and tasks. When reviewing the plan, the reader should be aware of the distinction between goals, policies and implementation tasks. For the purpose of the Waitsfield Town Plan:

- ◆ **Goals** express broad, long range community aspirations relative to one or more categories of topics. They should be considered aspirational statements for the community.
- ◆ **Policies** are statements of the town's intent, or position, with regard to specific issues or topics. In certain settings, such as during Act 250 proceedings and local zoning and subdivision reviews, policy statements shall serve as the basis for determining a project's conformance with the plan. While other

sections of the plan, including goal statements, provide useful context for understanding policies, it is the policies alone that serve as the final statement regarding the town's position.

- ◆ **Implementation Tasks** are specific actions to be taken by an identified entity to support one or more policies and achieve the community's long term goals. Where feasible, the municipal entity responsible for carrying out the implementation task is identified. Where a partnership with a private entity is desirable, such partnership is noted as being encouraged. Tasks are designed to assist the town to achieve its long term goals. Failure to implement a specific task, however, does not alter or negate a specific plan policy.

CITIZEN PARTICIPATION

Waitsfield residents have a rich tradition of democracy and participation in town government. Spirited debate, and occasional discord, is a predictable part of resolving important community issues. This plan builds upon that history of public discourse, and supplements it with a focused public outreach effort designed to solicit greater community input regarding key issues facing the town's future.

Since the last major plan update in 1993, Waitsfield has undertaken dozens of special studies related to a range of planning topics, and has sponsored scores of public forums and hearings related to such issues as growth management, land use, transportation, community facilities, and housing. The debate and subsequent outcome of these public processes are referenced, as applicable, throughout this plan.

The preparation of this plan also involved a postage-paid return mail community survey of all town voters. The six page survey, which was returned by over 25% of the recipients, addressed a wide range of topics addressed in this plan. A report entitled *Waitsfield 2002 Community Survey Final Report*, dated January 15, 2003, summarizes the survey results.

Prior to holding formal public hearings on this plan, the Planning Commission advertised that a preliminary draft was available and solicited the advice of town residents and landowners, interest groups and affected parties. Local non-governmental organizations—especially those that have been identified as playing a potential role in partnership with the town to implement specific tasks—were also invited to review the draft and provide comments on the preliminary draft.

As is usually the case, there is room for additional public involvement at all levels of the planning process. The use of surveys and questionnaires, public forums and greater coordination between interest groups and the town has ensured the past participation of town residents in local decision making. The ongoing coordination with local citizen groups, businesses and regional agencies will ensure that such involvement continues to shape town policies.

REGIONAL COORDINATION

The Town of Waitsfield has been meeting regularly with the neighboring towns of Fayston and Warren to discuss issues of mutual concern for nearly 25 years. This relationship was formalized by the creation of the Mad River Valley Planning District (MRVPD) in 1985. The MRVPD is a unique entity that has undertaken a number of planning initiatives designed to address a wide range of issues on a multi-town basis, including:

- ◆ **Affordable housing;**
- ◆ **Economic development;**
- ◆ **Growth management associated with ski area development;**
- ◆ **Highway improvements;**
- ◆ **Public transit;**
- ◆ **Recreation;**
- ◆ **Watershed conservation;**
- ◆ **Rural resource and historic preservation;**
- ◆ **Trails and greenways development; and,**
- ◆ **Wastewater treatment and disposal.**

In addition to the wealth of information available through these planning efforts, this cooperative relationship allows Waitsfield to coordinate its local planning program with those of neighboring towns through the MRVPD's staff and Steering Committee, thereby ensuring plan compatibility with Fayston and Warren. This coordination has resulted in, for example, the recognition of Irasville as the commercial "downtown" in Fayston's, Warren's and Moretown's town plans.

While the success of the town's cooperation with Warren and Fayston is well documented, communication and cooperation with other neighboring towns has been less extensive. This is due largely to the geographic barriers separating Waitsfield from Northfield, and less formal coordination with Moretown and Duxbury due to less active local planning programs in those communities (each of which

are partially located within the Mad River watershed). Some formal relationships do exist with those communities, however, in order to address specific community needs. Examples include the Harwood (Washington West) Supervisory Union and the Mad River Solid Waste Alliance. In addition, several non-governmental organizations, such as the Friends of the Mad River, focus their efforts on the larger watershed which includes all Valley towns.

The policies set forth in this plan were crafted to ensure compatibility with the plans of neighboring towns, as required by the Act, Compatibility with neighboring towns is particularly important with regard to land use, where incompatible policies could result in conflicting development activities and land uses along town boundaries. Waitsfield's land use plan calls for agriculture, forestry, low to moderate density residential development and very limited non-residential uses along the boundaries of Moretown, Northfield, Warren, Fayston and Duxbury. These uses and densities are similar to those allowed in adjacent towns along the boundary.

Finally, the town continues to play an active role with the Central Vermont Regional Planning Commission. Through that involvement, potential conflicts with neighboring towns outside of the Mad River watershed can be addressed. More importantly, the town has considered the policies of the Central Vermont Regional Plan, and has subsequently drafted a town plan that is compatible and consistent with the regional plan.

CONSISTENCY WITH STATE PLANNING GOALS

Under current Vermont enabling legislation (the Act), Vermont towns are encouraged to plan in accordance with State planning goals [§4302] and to contain specified elements [§4382]. While this Plan was developed foremost to meet the needs and reflect the desires of the Town of Waitsfield, careful attention was also made to ensure that all specified elements have been included, and that the goals, policies and tasks set forth in subsequent chapters are consistent with state planning goals.

ACKNOWLEDGMENTS

This Plan was formed largely in response to the active participation of Waitsfield residents and landowners over the years. That participation—which

takes many forms, such as serving on local boards, attending hearings and meetings, returning completed surveys, and of course voting—is the foundation of local planning. A special thanks to those Waitsfield citizens who continue to help shape our community's future.

In addition, the Plan was prepared with the assistance of Burnt Rock Inc., Associates in Community Planning, a community planning firm based in Waitsfield. Burnt Rock assisted with all aspects of drafting the plan.

The Town History in Chapter 2 was drafted by town resident Rick Thompson in 1993, as part of the preparation of a prior Town Plan, and was updated by Burnt Rock in 2004.

Historic photographs were made available by Jack Smith and the Waitsfield Historical Society from

their exhaustive collection of historic glass slides. Aerial photographs were taken by Alex McClean, whose firm Landslides Inc., has received international acclaim for documenting land patterns. Alex's photography was funded by the Mad River Conservation Partnership. Other photos were provided by David Garten, Sandy Macys, Dennis Curran and Beverly Kehoe. Finally, this Plan—and several of the planning studies and documents referenced herein—was funded in part by a Vermont Municipal Planning Grant awarded by the Vermont Department of Housing & Community Affairs.

PLANNING & COORDINATION GOALS

The widespread involvement of Waitsfield citizens and landowners at all levels of the local planning and decision-making process.

PLANNING & COORDINATION TASKS

- 1) Develop and maintain a Town web page to post meeting agendas and minutes, documents of local interest, such as this plan, and share information with the general public. *[Town Administrator]*
- 2) Explore making child care available at regular and special Town Meetings to encourage greater participation among families with young children.
- 3) Strictly comply with Vermont's Open Meetings Law [1 VSA §§310-314], as applicable. *[All official bodies of the Town]*
- 4) Continue to see that meetings of interest to the community are broadcast on Mad River television (Channel 44). *[Town Administrator, Selectboard, Planning Commission, Board of Adjustment, School Board, Conservation Commission]*
- 5) Publish regular meetings of local boards in the local newspaper. *[Town Administrator, Zoning Administrator]*
- 6) Investigate the use of mediation to resolve disputes as an alternative to litigation wherever possible. *[Selectboard]*

PLANNING & COORDINATION POLICIES

- 1) Opportunities for citizen input will be provided at every stage of the planning and decision-making process and decision making shall only occur in an open, public environment.
- 2) Adoption of a town plan which is consistent with state planning goals [24 VSA Chapter 24 §4302]. This plan has been determined to be consistent with those goals.
- 3) Statutory hearing requirements will be recognized as a minimum level of public involvement, and will be exceeded in all instances where public interest is evident. Public forums, direct mailings, broadcasts on Mad River Television (Channel 44) and notices placed in local newspapers will be used to inform the public of governmental activities on a regular basis.
- 4) The town plan and related planning documents will be reviewed on a regular basis and modifications made as appropriate to address changing circumstances.
- 5) Waitsfield will continue to participate in the Mad River Valley Planning District to support regional cooperation and communication on matters of area-wide concern.
- 6) Waitsfield will continue active participation in the Central Vermont Regional Planning Commission to coordinate local planning activities with those of neighboring towns and the regions, and continue to support regional organizations which most efficiently provide services and facilities to local residents and those of surrounding towns (e.g., Waterbury-Mad River Valley Solid Waste Alliance, Mad River Valley Recreation District, Waitsfield-Fayston Volunteer Fire Department).
- 7) Provide neighboring towns with an opportunity to comment on local matters of concern through notification of pending decisions which may affect them.

WAITSFIELD TOWN CHARTER

The Governor, Council & General Assembly of the State of Vermont

To all People to whom these presents shall come Greeting:

Know Ye, that whereas it has been represented to us by our worthy friends the Honble General Roger Enos, Col. Benjamin Wait & company to the number of seventy, that there is tract of vacant Land, within this State, which has not been heretofore granted, which they pray may be granted to them. We have therefore thought fit for the due encouragement of settling a new plantation, & other valuable considerations us hereunto moving. Do by these presents in the name & by the authority of the freemen of the State of Vermont, give & grant unto the said Roger Enos, Benjamin Wait & the several persons hereafter named their associates Vizt Joel Mathews, Daniel Mathews, James Mathews, Ephraim Edey, Nathan Edey, Barnabas Strong, Aaron Whipple, Ezekiel Rooks, Charles Nelson, Daniel Brown, Amasa Brown, William Lathrop, Luther Richards, Sanford Kinsbury, Charles Kingsbury, Reuben Spencer, Barnabas Spencer, John W. Dana, Ebenezer Brown, Samuel Harriss, Samuel Treat, Edward Whitman, Ezra Jones, Zebulon Lee, Joseph York, Gideon Luis, Moses Levet, Christopher York, Benjan Burk, Enoch Emmerson, John Benjamin, John Strong, Theophilus Clark, Wm Strong, Andrew Spawlding, Ammi Curer, Solomon Burk, Gilbert Hodges, Benajah Strong, Stephen Jacobs, Joseph Farnsworth, Amos Bigelow, Ephraim Smith, Beriah Green, Stephen Tilden John Marsh, Roger Enos Juner, Solomon Strong, Isaac Dana, Charles Killim Jur Isaac Maine, John Hodges, Pascal P. Enos, Noahdiah Bissell, John Barret, Stephen Maine, Daniel King, Stephen Keyes, Gilbert Wait, Joseph Fay, Ezra Wait, George Denison, James Hawley, John Bean, Dearing Spears, Josiah Averil John Fay, & Eli Willard,

Together with five equal shares to be appropriated to public uses as follows Vizt One Share for the use of a Seminary or College within this State. One Share for the use of grammar Schools throughout this State, One Share for the first settled Minister of the Gospel in said Township to be disposed of as the inhabitants within said Town shall direct, One Share for the support of the Ministry to be disposed of in like manner, for that purpose & One Share for the benefit & Support of a school or Schools within said Town to be disposed of for that purpose as aforesaid; he following tract or parcel of Land Viz. Beginning at a stake & Stones in the southwesterly corner of Moretown, thence running south forty six degrees 30 Minutes East in the line of Moretown to the Southeasterly corner thereof, thence south forty four degrees west in the westerly line of Northfield, five Miles & 27 Chains to a Spruce Staddle standing in the northerly Line of Roxbury or Warren, Thence in the northerly line of Warren North 61 ° West about six miles to a beach tree Marked June 17th 1787. Thence North 41 Do East six Miles 67 Chains & 40 Links to the first mentioned bounds, Containing 23,040 Acres, And that the same be & is hereby incorporated into a Township by the name of Waitsfield & the inhabitants that do or shall hereafter inhabit said Township are declared to be enfranchised & entitled to all the privileges and immunities that other Towns within this State do by Law exercise & enjoy.

To Have and to Hold the said granted premises as above expressed with all the privileges and appurtenances to them and the irrespctive heirs & Assigns forever, Upon the following Conditions and RESERVATIONS VIZt. That each proprietor of the Township of Waitsfield aforesaid his heirs or assigns shall plant and cultivate five Acres of Land & build a house at least Eighteen feet square on the floor or have one family settled on each respective right or share of Land in said Township agreeable to the time allotted by the Legislature of this State, on penalty of the forfeiture of his right or Share of Land in said Township; And the same to revert to the freemen of this State to be by their representatives regranted to such persons as shall appear to settle & cultivate the same.

In Testimony whereof I have here unto set my hand & caused the Seal of this State to be affixed this 25th day of February 1782 in the Sixth Year of the independence of this State.

Thomas Chittenden

By his Excellencys Command

Joseph Fay Sec.

CHAPTER 3.

AN Act, in amendment to an act, entitled, an act annexing a part of Waitsfield to the Town of Northfield.

Passed Nov. 3, 1823

It is hereby enacted by the General Assembly of the State of Vermont, That four tier of lots off of the easterly end of said Waitsfield, including one tier of small lots, and all the small lots on the southerly line of said town, lying east of lot number one hundred and fifty, be and the same are, hereby annexed to the town of Northfield; and the inhabitants, who do, or shall hereafter inhabit said lands, shall have, enjoy and exercise all the rights, privileges, immunities, and be subject to the same disabilities and penalties, which the other inhabitants of the town of Northfield can or ought, by the laws and constitution of this state, to have, exercise, enjoy, or be subject to.

Sec. 2. And it is hereby further enacted, That so Part of formermuch of an act, entitled an act annexing part of the town act repealed. of Waitsfield to the Town of Northfield, passed November 7, A.D. 1822, as comes within the purview of this act be, and the same is, hereby repealed.

No. 13. An Act to annex a part of the Town of Waitsfield to the Town of Northfield.

Approved, October 26, 1846

It is hereby enacted by the General Assembly of the State of Vermont, That the eastern and north-eastern part of the Town of Waitsfield, to wit: lots No. twenty-four, twenty-six, twenty-eight, thirty, thirty-two, thirty-four, thirty-six, thirty-eight, forty, fifty-nine, sixty-one, sixty-three, sixty-five, sixty-six, sixty-seven, and sixty-eight as numbered on the original plan of said town, be hereby annexed to the Town of Northfield, and shall hereafter constitute a part of said Town of Northfield, the same as if it had been included in the original charter thereof.

